

Application No. 10/823,556
Amendment Dated January 12, 2006
Reply to Office Action dated October 13, 2005

REMARKS/ARGUMENTS:

By the present Amendment, claims 1, 3, 8 and 9 are currently amended and claims 10 and 11 are newly added. No new matter is added. Claims 1 – 11 are currently pending in the application, with claim 1 being independent.

Applicants have carefully considered the contents of the Office Action and respectfully request reconsideration and reexamination of the subject application in view of the explanations noted below.

Rejections under 35 U.S.C. § 102(b)

Claims 1 – 9 are rejected under 35 U.S.C. § 102(b) as being anticipated by Japanese document 8-248284 (the Japanese '284 document). Applicants respectfully traverse this rejection, since the Japanese '284 document clearly does not disclose, teach or render obvious the subject matter of independent claim 1.

Independent claim 1 recites, inter alia, a mounting unit that receives a power transferring member such that when the power transferring member is in a first orientation the power transferring member is removable from the mounting unit and in a second orientation the power transferring member is not removable from the mounting unit.

The Japanese '284 document discloses optical equipment having a lens driving device, as shown in FIGS. 1, 2 and 6. The rack 7 is movably received by flanges 4a and 4b of the mounting part 6 of the lens module 3. Pressing part 11 prevents removal of the rack 7 from the flanges 4a and 4b, as shown in FIG. 2. There is no disclosure or suggestion in the Japanese '284 document of the rack 7 having a first orientation when received by the mounting part in which the rack is removable and a second orientation in which the rack is not removable from the mounting part. Therefore, independent claim 1 is not anticipated or rendered obvious by the Japanese '284 document.

As shown in FIG. 2, the pressing part 11 prevents removal of the rack 7 when received by the mounting part 6. Furthermore, because the pressing part 11 prevents removal of the rack 7 there is no suggestion to modify the rack to have removable and non-removable orientations with respect to the mounting part 6, as recited in independent claim 1.

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Lacking an element recited in independent claim 1, the Japanese '284 document does not anticipate independent claim 1 because a "claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." Verdegall Bros. v. Union Oil Co. of California, 814 F.2d 628, 631 (Fed. Cir. 1987). Therefore, the Japanese '284 document does not anticipate or render obvious independent claim 1.

Claims 2 – 11, being dependent upon independent claim 1, are also allowable for the above reasons. Moreover, these dependent claims recite additional features further distinguishing them over the cited patents, such as a second end of the power transferring member having a cross section having a first width corresponding to a width of a first slit part of a slit groove of the mounting unit and a second width corresponding to a width of the second slit part of claim 8; the power transferring member being rotatable about a longitudinal axis such that in the first orientation the second end is movable through the first slit part and in the second orientation a second end is not movable through the first slit part of claim 9; the mounting unit is integrally formed with a slider connected to the lens module of claim 10; and an object lens and a barrel cover are disposed at one end of the lens barrel of claim 11. Therefore, dependent claims 2 - 11 are not anticipated or rendered obvious by the cited patent, particularly within the overall claimed combination.

Claims 1 – 9 are further rejected under 35 U.S.C. § 102(b) as being anticipated by Japanese document 5-341169 (the Japanese '169 document). Applicants respectfully traverse this rejection, since the Japanese '169 document clearly does not disclose, teach or render obvious the subject matter of independent claim 1.

Independent claim 1 recites, inter alia, a mounting unit that receives a power transferring member such that when the power transferring member is in a first orientation the power transferring member is removable from the mounting unit and in a second orientation the power transferring member is not removable from the mounting unit.

The Japanese '169 document discloses an optical instrument having a lens drive unit, as shown in FIGS. 5, 6 and 7. The power transferring member 11 is movably received by flanges 12g extending outwardly from mounting unit 22. The first flange has a circular

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opening therein to receive one end of the power transferring member 11. The second flange has an opening extending inwardly from an edge thereof to receive another end of the power transferring member 11. There is no disclosure or suggestion in the Japanese '169 document of the power transferring member 11 having a first orientation when received by the mounting part in which the rack is removable and a second orientation in which the rack is not removable from the mounting part. Therefore, independent claim 1 is not anticipated or rendered obvious by the Japanese '169 document.

Lacking an element recited in independent claim 1, the Japanese '169 document does not anticipate independent claim 1 because a "claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." Verdegall Bros. v. Union Oil Co. of California, 814 F.2d 628, 631 (Fed. Cir. 1987). Therefore, the Japanese '169 document does not anticipate or render obvious independent claim 1.

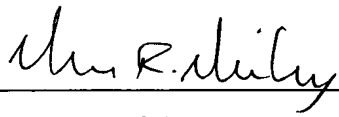
Claims 2 – 11, being dependent upon independent claim 1, are also allowable for the above reasons. Moreover, these dependent claims recite additional features further distinguishing them over the cited patents, such as a second end of the power transferring member having a cross section having a first width corresponding to a width of a first slit part of a slit groove of the mounting unit and a second width corresponding to a width of the second slit part of claim 8; the power transferring member being rotatable about a longitudinal axis such that in the first orientation the second end is movable through the first slit part and in the second orientation a second end is not movable through the first slit part of claim 9; the mounting unit is integrally formed with a slider connected to the lens module of claim 10; and an object lens and a barrel cover are disposed at one end of the lens barrel of claim 11. Therefore, dependent claims 2 - 11 are not anticipated or rendered obvious by the cited patent, particularly within the overall claimed combination.

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In view of the foregoing amendment and comments, Applicants respectfully submit that claims 1 – 16 are in condition for allowance. Prompt and favorable action is solicited.

Respectfully Submitted,



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Dated: January 12, 2006